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Attorneys for Herbert Gottlieb, an individual and
SWIdent, LLC, a California Limited Liability Company
(erroneously sued as SWIdent, Inc., a limited liability corporation)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

NACIO SYSTEMS, INC., a Nevada Corporation,

Plaintiff,

v.

HERBERT GOTTLIEB and SWIdent, INC., a
California LLC,

Defendants.

CASE NO. C 07 3481 PJH

REQUEST FOR JUDICIAL NOTICE

FILED CONCURRENTLY:
DEFENDANT'S REPLY BRIEF IN SUPPORT
OF MOTION FOR ORDER STAYING
LITIGATION; DECLARATION OF
HERBERT GOTTLIEB

Date: October 24, 2007

Time: 9:00 a.m.

Place: Courtroom 3, 17th Floor

Complaint Filed: July 3, 2007

Honorable Phyllis J. Hamilton Presiding

Defendants HERBERT GOTTLIEB ("GOTTLIEB") and SWIDENT, LLC, a California limited liability company (erroneously sued as a SWIdent, Inc., a limited liability corporation) ("SWIDENT") (hereinafter collectively referred to as "Defendants"), by and through its attorneys, hereby requests the Court to take judicial notice pursuant to Federal Rules of Evidence, Rule 201 of the following:

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1 1. Order Confirming Petitioner's Contractual Arbitration Award Against NACIO
2 SYSTEMS, INC., being case number CV065571, in the Superior Court of California, County of
3 Marin. A true and correct copy of the Complaint is attached as Exhibit "A" to the Declaration of
4 Herbert Gottlieb filed herewith.

5
6 IDELL & SEITZ LLP

7 Dated: October 10, 2007

8 By:

Richard J. Idell

Ory Sandel

Elizabeth J. Rest

Attorneys for Herbert Gottlieb, an individual and
SWIdent, LLC, a California Limited Liability
Company (erroneously sued as SWIdent, Inc., a
limited liability corporation)

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel, LLP 465 California Street, Suite 300, San Francisco, California 94104.

On October 10, 2007, I served the following document(s):

REQUEST FOR JUDICIAL NOTICE

☒ by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.

☒ by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

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I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and I executed this declaration at San Francisco, California.


Suzanne Slavens